Docket No.B-03-0208

#### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

January 30, 2006 **Date of Deposit** 

Joshua S. Broitman **Printed Name** 

H. Pattie et al.

Group

Signature

: 3641

Serial No.

10/708,864

Examiner: RADI, John A.

Filed

March 29, 2004

For

VARIABLE DUCT SUPPORT ASSEMBLY

Mail Stop Amendment

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

#### TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in the above-identified application is a \_\_\_ Preliminary Amendment; <u>X</u> Response to Office Action; \_\_\_ Amendment; <u>X</u> Other (Power of Attorney; Supplemental Information Disclosure Statement; Form PTO-1449; Copies of 5 cited references; check in the amount of \$180).

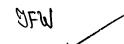
### FEE FOR ADDITIONAL CLAIMS

X A fee for additional claims is not required.

A fee for additional claims is required. The additional fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	NUMBER OF EXTRA CLAIMS	LARGE ENTITY RATE	ADDITIONAL FEE
TOTAL CLAIMS:	22 -	35 * =	0	x \$50 =	\$ 0
INDEPENDENT CLAIMS:	4 -	5 ** =	0	x \$200 =	0
FIRST PRESENTA	rion of MUL	TIPLE DEPENDI	ENT CLAIM	+ \$ =	0
If less than 20 If less than 3		0.	TOTAL FEE DI	UE <u>=</u>	\$ 0

Our check for payment of the	he additional claims fee is enclosed.
Please charge \$ to Depo	sit Account No. 50-3195 in payment of the
CONDITIONAL PETITION FOR EXTEN	SION OF TIME:
<u>X</u> It is hereby requested that be applied for this Response p	t the following extension of time and fee ursuant to 37 C.F.R. 1.136(a):
	or response within first month; h;\$1,020 fee within third month.
Please charge the above-in-	he extension fee is enclosed. dicated extension fee to Deposit Account s of this transmittal letter are enclosed.
extension or other fee under 3	ized to charge payment of any additional 7 CFR 1.16 or 1.17 which may be required erpayment of same to Deposit Account No.
	Respectfully submitted,
	OSTRAGER CHONG FLAHERTY & BROITMAN P.C. <b>Customer No. 44702</b> Attorneys for Applicant
Dated: January 30, 2006	By: Joshua S. Broitman Reg. No. 38,006





B-03-0208

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January 30, 2006

Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :

Jody H. Pattie et al.

**Group Art Unit: 3641** 

Serial No.

10/708,864

Examiner: RADI, John A.

**Filed** 

March 29, 2004

Title

VARIABLE DUCT SUPPORT ASSEMBLY

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandra, VA 22313-1450

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to the duty of disclosure set forth in 37 CFR 1.56, Applicant requests that the art cited in the annexed Form PTO/SB/08A be made of record in the above-identified application. Copies of the cited references are enclosed.

This Statement is being filed pursuant to 37 CFR 1.97(c) after the mailing date of a first Office Action, but before any final action or the Notice of Allowance. A check in the amount of

02/08/2006 SSITHIB1 00000028 10708864 01 FC:1806

180.00 np

\$180 is enclosed to cover the fee required by 37 CFR 1.17(p). If any further fees are required by this paper, the Commissioner is authorized to charge Deposit Account No. 50-3195.

Dated: January 30, 2006

Respectfully submitted,

OSTRAGER CHONG FLAHERTY & BROITMAN P.C.

By

Joshua S. Broitman Reg. No. 38,006

250 Park Avenue, Suite 825 New York, New York 10177-0899 (212) 681-0600 Please type a plus sign (+) inside this box

FEB 0 7 2006

PTO/SB/08A (10-96)

Approved for use through 10/31/99. OMB 06\$1-0031\*
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Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

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& TRADEMART	Complete if Known			
Application Number	10/708,864			
Filing Date	March 29, 2004			
First Named Inventor	Jody H. Pattie et al.			
Group Art Unit	3641			
Examiner Name	RADI, John A.			
Attorney Docket Number	B-03-0208			

	U.S. PATENT DOCUMENTS						
Examiner Initials *	Cite No.1	Number Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
	1	5,014,940	SHERMAN	05-14-1991			
	2	4,934,635	SHERMAN	06-19-1990			
	3	4,997,148	SHERMAN	03-05-1991			

	FOREIGN PATENT DOCUMENTS							
Examiner	amina a Cita	Foreign Patent Document		Name of Patentee	Date of Publication of	Pages, Columns, Lines,		
Initials*	Cite No. <sup>1</sup>	Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> ( <i>if known</i> )	or Applicant of Cited Document	Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear	T <sub>6</sub>
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Examiner Signature	Date Considered		

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark hee if English language Translation is attached.

Please type a plus sign (+) inside this box

PTO/SB/08A (10-96) -

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(use as many sheets as necessary)

of 2 Sheet

Complete if Known			
Application Number	10/708,864		
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First Named Inventor	Jody H. Pattie et al.		
Group Art Unit	3641		
Examiner Name	RADI, John A.		
Attorney Docket Number	B-03-0208		

	T	OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	1
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	4	UNISTRUT ® "Cushioining and Clamping Products" Catalog (4 pages), Tyco Electrical & Metal Products, Wayne, MI, date not available.	
	5	"Accessoires de Cablage - Wiring Accessories", Ampenol Air LB, Edition 01/01, Courbevoie Cedex, France (16 pages)	

	, <u> </u>		
Examiner		Date	
Signature		Considered	

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